

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1319 OF 2007

[Kisan Nathu Pardesi. Vs. State.]

Office Notes, office : Court's or Judge's orders
Memoranda of Coram, :
appearances, Court's :
orders or directions :
and Registrar's orders :

Smt.Sonia Miskin, Adv. appointed for
the Petitioner.

Mr.M.S.Mhambre, APP, for the State.

**CORAM : R.M.S.KHANDEPARKAR AND
SMT.V.K.TAHILRAMANI, JJ.**

DATED : SEPTEMBER 07, 2007.

P.C. :-

1. Heard the learned Advocate
appointed for the petitioner and the
learned APP for the State.

2. The petitioner had preferred an
application for furlough, which came to

be rejected on the ground that when the petitioner was released on furlough in the year 2005, he has overstayed. On the said occasion, the petitioner did not surrender back in time, but, he had to be traced and brought back to prison by the police authorities. Moreover, it is stated that during the said period that the petitioner was released on furlough and during his overstay, he was involved in C.R.No.14 of 2006 of Lonawala Police Station. The said case is under Section 379 of IPC. From this fact, it is clear that the petitioner has misused the furlough.

3. Looking to this fact, we do not find any reason to interfere. Hence, Writ Petition is rejected. It is made clear that if the petitioner prefers a fresh application for furlough, the same be decided independently on its own merits.

4. Jail authorities to communicate this order to the petitioner who is in Yervada Central Prison at Pune.

[R.M.S.KHANDEPARKAR, J.]

[SMT.V.K.TAHILRAMANI, J.]